

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

04-CR-6063L
09-CV-6110L

v.

THOMAS T. LOFTON,

Defendant.

Defendant Thomas T. Lofton filed a motion (Dkt. #180), *pro se*, which by its terms seeks to “reopen the Court’s judgment” pursuant to FED. R. CIV. P. 60(b).

In essence, Lofton asked this Court to reconsider its Decision and Order (Dkt. #165) entered June 23, 2010 denying Lofton’s motion to vacate, brought pursuant to 28 U.S.C. § 2255 and denying a certificate of appealability. The appeal from that was dismissed by the Second Circuit.

There is no basis in law or fact for this Court to reconsider its prior decision denying Lofton’s § 2255 motion. Therefore, defendant’s motion to reopen judgment (Dkt. #180) is in all respects denied.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
May 21, 2015.